

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BOSTON PIZZA RESTAURANTS, LP,	)	No. C05-5295RJB
	)	
Plaintiff,	)	ORDER GRANTING STAY
	)	
vs.	)	
	)	
OR-CAN, LLC; TERRY SMYL; CAROL ANNE	)	
SMYL; JOSEPH LOFTGREN; KAREN	)	
SPEYER-LOFTGREN; MICHAEL	)	
SALISBURY; JULIE SALISBURY; AND	)	
KATHERINE SALISBURY,	)	
	)	
Defendants.	)	

This matter came before the Court on Plaintiff's Motion for Preliminary Injunction. Shortly after that motion was filed, Defendant OR-CAN, LLC initiated proceedings in the Bankruptcy Court for the District of Oregon, Case No. 05-38239-ELP11, and notified this Court of the automatic stay under 11 U.S.C. § 362(a) as to Plaintiff's action against OR-CAN. The parties have agreed to a temporary stay of this action, subject to reinstatement under certain conditions. Therefore, the Court having reviewed the submissions of the parties and being fully advised in the premises,

ORDER GRANTING STAY -- 1

No. C05-5295RJB  
M31664-641493\_2

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1 IT IS HEREBY ORDERED that all claims in this action are stayed, and that all deadlines  
2 are stricken until further notice from the Court. No party may prosecute or pursue any claim  
3 against any other party, whether or not currently asserted in this action, so long as this stay is in  
4 effect. This stay shall not preclude any party from seeking transfer of any claim to the Bankruptcy  
5 Court for the District of Oregon, but all parties reserve their right to object to that transfer for any  
6 reason.

7 IT IS FURTHER ORDERED that this stay shall terminate without further action by this  
8 Court if the Bankruptcy Court for the District of Oregon in Case No. 05-38239-ELP11 lifts the  
9 automatic stay as to any claim brought in this action to allow that claim to be prosecuted or  
10 pursued outside the Bankruptcy Court. This stay also shall terminate without further action by  
11 this Court in the event that the bankruptcy case is dismissed or the bankruptcy stay otherwise  
12 ceases to remain in effect pursuant to applicable bankruptcy law.

13  
14 DONE IN OPEN COURT this 19<sup>th</sup> day of September, 2005.

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18 ROBERT J. BRYAN  
19 United States District Court Judge  
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ORDER GRANTING STAY -- 2

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ORDER GRANTING STAY -- 3

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